Application No.: 10/058,029 Docket No.: R2184.0132/P132

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) In an information storage apparatus capable of rotating a recording medium in a plurality of rotation modes, a [[A]] method of [[for]] storing data in the recording medium ~~media using an information storage apparatus which has a plurality of rotation modes of said recording media~~, the method comprising the steps of:

~~a step of~~ background-formatting the [[said]] recording medium ~~media~~ in a first rotation mode suitable for the background-formatting;

~~a step of stopping, in response to a~~ receiving a user request for ~~storing~~ writing user data in the [[said]] recording medium ~~media, formatting of said recording media~~;

~~a step of setting said recording media in a second rotation mode that is suitable for storing data in said recording media;~~

~~a step of storing data in said recording media in said second rotation mode;~~

~~a step of setting, in response to an end of storing data in said recording media, said recording media in said first rotation mode; and~~

~~a step of resuming of formatting said recording media in said first rotation mode~~

determining whether the first rotation mode is suitable for writing the user data in response to receipt of the user request;

if the first rotation mode is suitable for writing the user data, writing the user data to the recording medium;

if the first rotation mode is not suitable for writing the user data, rotating the recording medium in a second rotation mode and writing the user data to the recording medium; and

subsequently, if the background-formatting has not been completed, resuming the background-formatting in the first rotation mode after writing the user data to the recording medium.

2. (Currently Amended) The method of [[for]] storing data as claimed in claim 1, wherein said recording medium ~~media~~ formatted in said first rotation mode is rotated at a maximum rotating speed at which said information storage apparatus can store data in said recording medium ~~media~~.

3. (Currently Amended) The method of [[for]] storing data as claimed in claim 1, wherein said first rotation mode is a constant linear velocity mode.

4. (Currently Amended) The method of [[for]] storing data as claimed in claim 1, wherein said first rotation mode is a zone constant linear velocity mode.

5. (Currently Amended) The method of [[for]] storing data as claimed in claim 1, further comprising a step of measuring time, in response to an end of storing data in said recording medium ~~media~~, wherein said step of resuming of formatting said recording medium ~~media~~ is not performed until a predetermined period of time passes.

6. (Currently Amended) The method of [[for]] storing data as claimed in claim 1, further comprising a step of measuring time, in response to an end of storing data in said recording medium ~~media~~, wherein formatting said recording medium ~~media~~ is resumed in said second rotation mode before a predetermined period of time passes.

7. (Currently Amended) The method of [[for]] storing data as claimed in claim 6, wherein after said predetermined period of time passes, said recording medium ~~media~~ is set in said first rotation mode.

8. (Currently Amended) The method of [[for]] storing data as claimed in claim 1, wherein said recording medium ~~media~~ is a rewritable optical disc.

9. (Currently Amended) An information storage apparatus ~~having a plurality of rotation modes of recording media~~, comprising:

a motor configured to rotate a ~~which rotates said~~ recording medium ~~media~~ in a plurality of rotation modes [[mode]];

a read/write head configured to read and write data to the recording medium; and

a controller configured to background-format the ~~which formats said~~ recording medium ~~media~~ in a first rotation mode suitable for the background-

formatting, ~~stops, in response to a~~ receive a user request for writing user ~~storing~~ data in the [[said]] recording medium ~~media, formatting said recording media, sets the recording media in a second rotation mode that is suitable for storing data, stores data in said recording media in said second rotation mode, sets, in response to an end of storing data in said recording media, the recording media in said first rotation mode, and resumes formatting the recording media in said first rotation mode~~ and determine whether the first rotation mode is suitable for writing the user data in response to receipt of the user request,

the controller further configured to write, if the first rotation mode is suitable for writing the user data, the user data to the recording medium, to rotate, if the first rotation mode is not suitable for writing the user data, the recording medium in a second rotation mode and write the user data to the recording medium, and to resume, if the background-formatting has not been completed, the background-formatting in the first rotation mode after writing the user data to the recording medium.

10. (Currently Amended) The information storage apparatus as claimed in claim 9, wherein said recording medium ~~media~~ formatted in said first rotation mode is rotated at a maximum rotational speed at which said information storage apparatus can store data in said recording medium ~~media~~.

11. (original) The information storage apparatus as claimed in claim 9, wherein said first rotation mode is a constant linear velocity mode.

12. (original) The information storage apparatus as claimed in claim 9, wherein said first rotation mode is a zone constant linear velocity mode.

13. (Currently Amended) The information storage apparatus as claimed in claim 9, further comprising a timer which starts in response to an end of storing data in said recording medium ~~media~~, wherein said controller resumes formatting said recording medium ~~media~~ after a predetermined period of time passes.

14. (Currently Amended) The information storage apparatus as claimed in claim 9, further comprising a timer which starts in response to an end of storing data in said recording medium ~~media~~, wherein said controller resumes formatting said recording medium ~~media~~ in said second rotation mode after a predetermined period of time passes.

15. (Currently Amended) The information storage apparatus as claimed in claim 14, wherein after said predetermined period of time passes, said recording medium ~~media~~ is set in said first rotation mode.

16. (Currently Amended) The information storage apparatus as claimed in claim 9, wherein said recording medium ~~media~~ is a rewritable optical disc.

17. (original) An information processing apparatus comprising the information storage apparatus as claimed in claim 9.

18. (Currently Amended) A computer readable medium storing a [[A]] computer program ~~for storing data in rewritable recording media that is to be installed in a digital computer having an information storage apparatus which has a plurality of rotation modes~~ for performing the steps of ~~recording media, comprising:~~

~~a step of~~ background-formatting a [[said]] recording medium ~~media~~ in a first rotation mode suitable for the background-formatting;

~~a step of stopping, in response to a~~ receiving a user request for ~~storing~~ writing user data in the [[said]] recording medium ~~media, formatting of said recording media;~~

~~a step of setting said recording media in a second rotation mode that is suitable for storing data;~~

~~a step of storing data in said recording media in said second rotation mode;~~

~~a step of setting, in response to an end of storing data in said recording media, said recording media in said first rotation mode; and~~

~~a step of resuming of formatting said recording media in said first rotation mode~~

determining whether the first rotation mode is suitable for writing the user data in response to receipt of the user request;

if the first rotation mode is suitable for writing the user data, writing the user data to the recording medium;

if the first rotation mode is not suitable for writing the user data, rotating the recording medium in a second rotation mode and writing the user data to the recording medium; and

subsequently, if the background-formatting has not been completed, resuming the background-formatting in the first rotation mode after writing the user data to the recording medium.